

# **PREVENTIVE LAW**

## **SERIES**

### **Legal Assistance Program**

***TOPIC:***

**Credit Reports**

**June 2014**

**If you have questions concerning the topic  
of this pamphlet, please contact the  
Legal Assistance Office**

For additional information & useful links, please visit:

<https://aflegalassistance.law.af.mil>

**Legal Assistance Office  
Phone: 226-4022**

**Office of the  
Staff Judge Advocate  
Misawa AB, Japan**

## Access to Your Credit Reports

A recent amendment to the federal Fair Credit Reporting Act (FCRA) requires each of the nationwide consumer reporting companies to provide you with a free copy of your credit report, at your request, once every 12 months. The FCRA promotes the accuracy and privacy of information in the files of the nation's consumer reporting companies. The Federal Trade Commission (FTC), the nation's consumer protection agency, enforces the FCRA with respect to consumer reporting companies.

A credit report contains information on where you live, how you pay your bills, and whether you've been sued, arrested, or if you have filed for bankruptcy. Nationwide consumer reporting companies sell the information in your report to creditors, insurers, employers, and other businesses that use it to evaluate your applications for credit, insurance, employment, or renting a home. There are three nationwide consumer reporting companies — Equifax, Experian, and Trans Union.

In recent months, consumers have asked the FTC for more details about their rights under the federal FCRA and the Fair and Accurate Credit Transactions (FACT) Act, which established the free credit report program. They've also asked about credit reports in general. Here are the most frequently asked questions and the answers.

### **Q: How do I order my free report?**

**A:** The three nationwide consumer reporting companies have set up one central website, toll-free telephone number, and mailing address through which you can order your free annual report. To order, click on [www.annualcreditreport.com](http://www.annualcreditreport.com), call 877-322-8228, or complete the Annual Credit Report Request Form and mail it to: Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348-5281. [Note: the website is only available through Internet Service Providers located in the United States, so it is not accessible from Japan.] Do not contact the three nationwide consumer reporting companies individually. They are only providing free annual credit reports through [www.annualcreditreport.com](http://www.annualcreditreport.com), 877-322-8228, and Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348-5281.

You may order your reports from each of the three nationwide consumer reporting companies at the same time, or you can order from only one or two. The law allows you to order one free copy from each of the nationwide consumer reporting companies every 12 months. Some sources suggest getting a credit report once every four months, or three times a year, to stagger the length of time between each credit check.

### **Q: What information do I have to provide to get my free report?**

**A:** You need to provide your name, address, Social Security number, and date of birth. If you have moved in the last two years, you may have to provide your previous address. To maintain the security of your file, each nationwide consumer reporting company may ask you for some information that only you would know, like the amount of your monthly mortgage payment. Each company may ask you for different information because the information each has in your file may come from different sources. [www.annualcreditreport.com](http://www.annualcreditreport.com) is the only authorized source for your free annual credit report from the three nationwide consumer reporting companies. [www.annualcreditreport.com](http://www.annualcreditreport.com) and the nationwide consumer reporting companies will not send you an email asking for your personal information. If you get an email or see a pop-up ad claiming it's from [www.annualcreditreport.com](http://www.annualcreditreport.com) or any of the three nationwide consumer reporting companies, do not reply or click on any link in the message — it's probably a scam. Forward any email that claims to be from [www.annualcreditreport.com](http://www.annualcreditreport.com) or any of three consumer reporting companies to the FTC's database of deceptive spam at [spam@uce.gov](mailto:spam@uce.gov). [www.annualcreditreport.com](http://www.annualcreditreport.com) or any of three consumer reporting

companies also will not call you to ask for your personal information.

**Q: Why would I want to get a copy of my credit report?**

**A:** You may want to review your credit report:

- because the information it contains affects whether you can get a loan — and how much you will have to pay to borrow money.
- to make sure the information is accurate, complete, and up-to-date before you apply for a loan for a major purchase like a house or car, buy insurance, or apply for a job.
- to help guard against identity theft. Identity theft is when someone uses your personal information — like your name, your Social Security number, or your credit card number — to commit fraud. Identity thieves may use your information to open a new credit card account in your name. Then, when they don't pay the bills, the delinquent account is reported on your credit report. Inaccurate information like that could affect your ability to get credit, insurance, or even a job.

**Q: How long does it take to get my report after I order it?**

**A:** If you request your report online at [www.annualcreditreport.com](http://www.annualcreditreport.com), you should be able to access it immediately. If you order your report by calling toll-free 877-322-8228, your report will be processed and mailed to you within 15 days. If you order your report by mail using the Annual Credit Report Request Form, your request will be processed and mailed to you within 15 days of receipt.

Whether you order your report online, by phone, or by mail, it may take longer to receive your report if the nationwide consumer reporting company needs more information to verify your identity.

There may be times when the nationwide consumer reporting companies receive an extraordinary volume of requests for credit reports. If that happens, you may be asked to re-submit your request. Or, you may be told that your report will be mailed to you sometime after 15 days from your request. If either of these events occurs, the nationwide consumer reporting companies will let you know.

**Q: Are there any other situations where I might be eligible for a free report?**

**A:** Under federal law, you're entitled to a free report if a company takes adverse action against you (like denying your application for credit, insurance, or employment) and you ask for your report within 60 days of receiving notice of the action. The notice will give you the name, address, and phone number of the consumer reporting company. You're also entitled to one free report a year if you're unemployed and plan to look for a job within 60 days, if you're on welfare, or if your report is inaccurate because of fraud, including identity theft. Otherwise, a consumer reporting company may charge you up to \$9 for another copy of your report within a 12-month period.

To buy a copy of your report, contact:

Equifax  
800-685-1111  
[www.equifax.com](http://www.equifax.com)  
Experian  
888-EXPERIAN (888-397-3742)  
[www.experian.com](http://www.experian.com)  
Trans Union

**Q: Should I order a report from each of the three nationwide consumer reporting companies?**

**A:** It is your decision. Because nationwide consumer reporting companies get their information from different sources, the information in your report from one company may not reflect all, or the same, information in your reports from the other two companies. That is not to say that the information in any of your reports is necessarily inaccurate; it just may be different.

**Q: Should I order my reports from all three of the nationwide consumer reporting companies at the same time?**

**A:** You may order one, two, or all three reports at the same time, or you may stagger your requests. It is your choice. Some financial advisors say staggering your requests during a 12-month period may be a good way to keep an eye on the accuracy and completeness of the information in your reports. First, always scour your credit card statements each month to make sure the only charges that show up are yours. That's the first line of defense against identity theft. Then go to [www.annualcreditreport.com](http://www.annualcreditreport.com) and request ONE credit report. Four months later get your second report, and four months after that, request your third report. For example, you can get your Experian free credit report Sept 1, then on January 1 get your Equifax and then on May 1 ask for your TransUnion free credit report. That's all the credit monitoring you need: every four months you can check to see if anything suspicious has shown up on an account. If you find a problem, once you work with that credit bureau to get it corrected, the bureau must pass along the info to the other two bureaus.

**Q: What if I find errors — either inaccuracies or incomplete information — in my credit report?**

**A:** Under the Fair Credit Reporting Act, both the consumer reporting company and the information provider (that is, the person, company, or organization that provides information about you to a consumer reporting company) are responsible for correcting inaccurate or incomplete information in your report. To take advantage of all your rights under this law, contact the consumer reporting company and the information provider.

1. Tell the consumer reporting company, in writing, what information you think is inaccurate.

Consumer reporting companies must investigate the items in question — usually within 30 days — unless they consider your dispute frivolous. They also must forward all the relevant data you provide about the inaccuracy to the organization that provided the information. After the information provider receives notice of a dispute from the consumer reporting company, it must investigate, review the relevant information, and report the results back to the consumer reporting company. If the information provider finds the disputed information is inaccurate, it must notify all three nationwide consumer reporting companies so they can correct the information in your file.

When the investigation is complete, the consumer reporting company must give you the written results and a free copy of your report if the dispute results in a change. (This free report does not count as your annual free report under the FACT Act.) If an item is changed or deleted, the consumer reporting company cannot put the disputed information back in your file unless the information provider verifies that it is accurate and complete. The consumer reporting company also must send you written notice that includes the name, address, and phone number of the information provider.

2. Tell the creditor or other information provider in writing that you dispute an item. Many providers specify an address for disputes. If the provider reports the item to a consumer reporting company, it must include a notice of your dispute. And if you are correct — that is, if the information is found to be inaccurate — the information provider may not report it again. A sample letter is at the end of

this pamphlet.

**Q: What can I do if the consumer reporting company or information provider won't correct the information I dispute?**

**A:** If an investigation doesn't resolve your dispute with the consumer reporting company, you can ask that a statement of the dispute be included in your file and in future reports. You also can ask the consumer reporting company to provide your statement to anyone who received a copy of your report in the recent past.

If you tell the information provider that you dispute an item, a notice of your dispute must be included any time the information provider reports the item to a consumer reporting company.

**Q: How long can a consumer reporting company report negative information?**

**A:** A consumer reporting company can report most accurate negative information for seven years and bankruptcy information for 10 years. There is no time limit on reporting information about criminal convictions; information reported in response to your application for a job that pays more than \$75,000 a year; and information reported because you've applied for more than \$150,000 worth of credit or life insurance. Information about a lawsuit or an unpaid judgment against you can be reported for seven years or until the statute of limitations runs out, whichever is longer.

**Q: Who else can get a copy of my credit report?**

**A:** The Fair Credit Reporting Act specifies who can access your credit report. Creditors, insurers, employers, and other businesses that use the information in your report to evaluate your applications for credit, insurance, employment, or renting a home are among those that have a legal right to access your report.

**Q: Can my employer get my credit report?**

**A:** Your employer can get a copy of your credit report only if you agree. A consumer reporting company may not provide information about you to your employer, or to a prospective employer, without your written consent.

**Q: What should I do if my identity is stolen?**

**A:** To restore your good name, you should file a police report, place a fraud alert on your credit reports, notify creditors, and dispute any unauthorized transactions as soon as possible. You should also close the accounts that you know or believe have been tampered with or opened fraudulently. You can also file a complaint with the Federal Trade Commission (FTC). You can find an online complaint form on their website at [www.ftc.gov](http://www.ftc.gov).

This information is from the FTC website: <http://www.ftc.gov/bcp/online/pubs/credit/freereports.htm>. They work to protect you the consumer and to prevent fraudulent, deceptive and unfair business practices in the marketplace. Lastly, they provide information to help consumers spot, stop, and avoid them the above practices. To file a [complaint](#) or to get [free information on consumer issues](#), visit [www.ftc.gov](http://www.ftc.gov) or call toll-free, 1-877-FTC-HELP (1-877-382-4357).

**The information contained in this pamphlet is of a general nature and is provided for your assistance and convenience. It is not intended as legal advice and is not a substitute for legal counsel. If you have any questions as to how the law in this area affects you or your legal rights, contact your civilian attorney or the Misawa Air Base Legal Office for an appointment with a licensed attorney.**

**Sample Fair Credit Reporting  
Act Dispute Letter**

Date

Your Name Your Address  
Your City, State, Zip Code

Complaint Department  
Name of credit Reporting Agency  
Address  
City, State, Zip Code

Dear Sir or Madam:

I am writing to dispute the following information in my file. The items I dispute also are encircled on the attached copy of the report I received. (Identify item(s) disputed by name of source, such as creditors or tax court, and identify type of item, such as credit account, judgment, etc.) This item is (inaccurate or incomplete) because (describe what is inaccurate or incomplete and why). I am requesting that the item be deleted (or request another specific change) to correct the information. Enclosed are copies of (use this sentence if applicable and describe any enclosed documentation, such as payment records, court documents) supporting my position.

Please reinvestigate this (these) matter(s) and (delete or correct) the disputed item(s) as soon as possible.

Sincerely,

Your name

Enclosures: (List whatever you are enclosing)